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*Specially Appearing Attorneys for Defendant,
Vani Kola*

**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

ALLAN MILLER,

Plaintiff,

vs.

HFN, INC., a Delaware Corporation, d/b/a
NANOHEAL BY HFN INC.; KALAARI
CAPITAL ADVISORS PRIVATE LIMITED, an
Indian Company; SRIDHAR SANTHANAM;
KUMAR SHIRALAGI; PAVAN VAISH; and
VANI KOLA,

Defendants.

**DEFENDANT VANI KOLA'S REPLY
IN SUPPORT OF FURTHER MOTION
TO EXTEND TIME TO RESPOND TO
FIRST AMENDED COMPLAINT
UNTIL 21 DAYS AFTER COURT
RULES ON PENDING MOTIONS TO
DISMISS**

Case No. 2:23-cv-00733-CMR

Magistrate Judge Cecilia M. Romero

Defendant Vani Kola hereby files this reply in support of her motion to extend her time to respond to the First Amended Complaint (“FAC”) in this matter until 21 days after the Court rules on the pending motions to dismiss filed by HFN, Inc. and Kumar Shiralagi (the “Dismissal Motions”). For the reasons set forth herein and in the motion, Ms. Kola’s motion should be granted.

Mr. Miller states that he does “has no objection to extending the time to respond to the FAC to any reasonable time needed by counsel.” ECF Doc. No. 57 at 2. However, Mr. Miller requests the Court extend Ms. Kola’s time to respond to “a date certain independent of the ruling on the [Dismissal Motions].” *Id.*

Mr. Miller’s suggested resolution of Ms. Kola’s motion, however, ignores the purpose for the motion, which is to avoid unnecessary use of the parties’ and the Court’s resources submitting additional motions to dismiss Mr. Miller’s complaint on many or all of the same grounds already before the Court in the Dismissal Motions. The proposed extension set forth in Ms. Kola’s motion (and the prior motion of the International Defendants) establishes a uniform approach for all remaining defendants. This uniform approach will prevent confusion stemming from various defendants having multiple and different deadlines, and is very likely to reduce the burden on the Court and parties as arguments of the remaining defendants are likely to substantially overlap both with each other and with the positions of HFN and Mr. Shiralagi that have already presented to the Court. Setting Ms. Kola’s (or any of the other defendants’) response deadlines independently from each other and from the resolution of the Dismissal Motions will offer none of these advantages.

Moreover, Mr. Miller has identified no way in which extending Ms. Kola’s deadline to respond to the FAC based on the resolution of the Dismissal Motions rather than a date certain would prejudice him, particularly where Mr. Miller has indicated he would agree to extend that deadline to “any reasonable time.” Thus, on balance, Ms. Kola’s (and the International Defendants’) request that the Court establish a uniform deadline for all remaining defendants to

respond to the complaint only after the Dismissal Motions are resolved best avoids unnecessary expenditure of the Court's and the parties' resources, and Ms. Kola's motion should be granted for that reason.

Dated: June 24, 2024

TROUTMAN PEPPER HAMILTON SANDERS LLP

By: /s/ Nathan R. Marigoni

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